

THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

IN RE:	§	MISC. NUMBER: 7:14-MC-002
	§	
JURY SERVICE	§	RE: Tracy Ann Cobb
	§	Paul Kent Ellis
August 5, 2014	§	Haily June Kramer
	§	Janice Kay Voyles
	§	Michael Wayne Wimberley

FINDINGS, CONCLUSIONS, AND RECOMMENDATION OF THE
UNITED STATES MAGISTRATE JUDGE
AND NOTICE AND ORDER

The above-named individuals were summoned by the Court to appear for jury duty at the United States Courthouse and Post Office, 1000 Lamar Street, Wichita Falls, Texas, for service commencing on August 5, 2014. The above-named individuals failed to appear as directed. After conducting show cause hearings on August 20, 2014, the undersigned submits the following findings and recommendations:

As to Jurors **Ellis** and **Wimberley**, each of these individuals appeared before this Court and failed to show good cause for their failure to appear for jury service. Accordingly, I recommend that a fine of \$50.00 be imposed as to each of them to be paid no later than ten (10) days from the date of the District Court's order accepting these recommendations and that their names be returned to the jury pool for later service.

As to Juror **Voyles**, I find that she had a valid excuse from jury service arising from a continuing serious medical condition, but that she failed to **timely** present her excuse to the Court. Accordingly, I recommend that a fine of \$50.00 be imposed to be paid no later than ten (10) days

from the date of the District Court's order accepting these recommendations, but that she be excused and removed from the jury pool for later service.

As to Juror **Cobb**, I find that her failure to **timely** read her mail containing the jury service notice does not constitute good cause for her failure to appear for jury service. Accordingly, I recommend that a fine of \$50.00 be imposed as to her to be paid no later than ten (10) days from the date of the District Court's order accepting these recommendations and that her name be returned to the jury pool for later service.

As to Juror **Kramer**, I find that as a full time student at college, she would have been excused from jury service had she **timely** notified the court. But due to her untimely notice of her excuse, she has failed to show good cause for her failure to appear for jury service. Accordingly, I recommend that a fine of \$50.00 be imposed as to her to be paid no later than ten (10) days from the date of the District Court's order accepting these recommendations, but that she be excused and removed from the jury pool for later service.

**NOTICE OF RIGHT TO OBJECT TO PROPOSED
FINDINGS, CONCLUSIONS AND RECOMMENDATION AND CONSEQUENCES OF
FAILURE TO OBJECT**

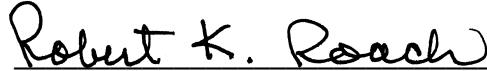
Under 28 U.S.C. § 636(b)(1), each party to this action has the right to serve and file specific written objections in the United States District Court to the United States Magistrate Judge's proposed finds, conclusions and recommendation within fourteen (14) days after the party has been served with a copy of this document. The United States District Judge need only make a de novo determination of those portions of the United States Magistrate Judge's proposed findings, and conclusions and recommendation to which specific objection is timely made. See 28 U.S.C. § 636(b)(1). Failure to file by the date stated above a specific written objection to a proposed factual finding or legal conclusion will bar a party, except upon grounds of plain error or manifest injustice, from attacking on appeal any such proposed factual findings and legal conclusions accepted by the United States District Judge. See *Douglass v. United States Auto Ass'n*, 79 F.3d 1415, 1428-29 (5th Cir. 1996)(en banc).

ORDER

Under 28 U.S.C. § 636, it is hereby ORDERED that each party is granted until September 3, 2014 to serve and file written objections to the United States Magistrate Judge's proposed findings, conclusions, and recommendation. The Clerk of the Northern District of Texas is directed to service this Order on each of the above-named individuals at the address of record for each individual.

It is further ORDERED that the above-styled and numbered action, previously referred to the United States Magistrate Judge for findings, conclusions, and recommendation, be and hereby is transferred to the docket of United States District Judge Reed O'Connor.

It is so ORDERED, this 20th day of August, 2014.

A handwritten signature in black ink that reads "Robert K. Roach". The signature is written in a cursive style and is positioned above a horizontal line.

Robert K. Roach
UNITED STATES MAGISTRATE JUDGE